

AMENDED IN SENATE APRIL 8, 2013

SENATE BILL

No. 605

Introduced by Senator Lara

February 22, 2013

An act to add Section 38561.5 to the Health and Safety Code, relating to school safety greenhouse gases.

LEGISLATIVE COUNSEL'S DIGEST

SB 605, as amended, Lara. ~~School safety: persistently dangerous schools. California Global Warming Solutions Act of 2006: scoping plan.~~

The California Global Warming Solutions Act of 2006 establishes the State Air Resources Board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases. The act requires the state board to adopt a statewide greenhouse gas emissions limit, as defined, to be achieved by 2020, equivalent to the statewide greenhouse gas emissions levels in 1990. The act requires the state board to prepare and approve a scoping plan for achieving the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions. The act requires the scoping plan to be updated at least once every 5 years.

This bill would require the state board, when updating the scoping plan, to include specified criteria. The bill would require all greenhouse gas emissions reductions be achieved within the state in areas that are most impacted by greenhouse gas pollutants and other air pollutants, except as specified.

~~Existing law establishes various laws relating to school safety and violence prevention, and, among other things, requires each school district and county office of education to be responsible for the overall~~

development of all comprehensive school safety plans for its schools operating kindergarten or any of grades 1 to 12, inclusive.

~~This bill would express the Legislature's intent to enact legislation that would establish criteria for, and provide for the identification of, persistently dangerous schools.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 38561.5 is added to the Health and Safety
2 Code, to read:
3 38561.5. (a) When updating the scoping plan pursuant to
4 subdivision (h) of Section 38561, the state board shall do all of
5 the following:
6 (1) Revise the million metric tons of emissions (MMTE) to
7 emphasize in-state actions that create jobs in the state, including,
8 but not limited to, retrofits.
9 (2) Achieve maximum technologically feasible and cost-effective
10 emissions reductions in short-lived climate pollutants no later than
11 December 31, 2015.
12 (3) Limit the use of offsets to all of the following:
13 (A) Those offsets originating and achieved within the state.
14 (B) Those offsets used to offset greenhouse gas emissions in a
15 location that has greenhouse gas emissions.
16 (C) Those offsets occurring at the same time greenhouse gas
17 emissions are occurring, to the extent possible.
18 (4) Adopt a backstop plan in the event a market-based
19 compliance mechanism adopted by the state board and the Low
20 Carbon Fuel Standard regulations (Subarticle 7 (commencing
21 with Section 95480) of Article 4 of Subchapter 10 of Chapter 1 of
22 Division 3 of Title 17 of the California Code of Regulations) do
23 not accomplish the goals intended in the scoping plan.
24 (5) Expend special funds, including, but not limited to, funds
25 derived from market-based compliance mechanisms, the Electric
26 Program Investment Charge Fund created by Section 25711 of
27 the Public Resources Code, and the Alternative and Renewable
28 Fuel and Vehicle Technology Fund created by Section 44273, for
29 emissions reductions from sources within the state in furtherance

1 of achieving and maintaining the limit established pursuant to
2 Part 3 (commencing with Section 38550).

3 (b) All greenhouse gas emissions reductions shall be achieved
4 within the state in areas that are most impacted by greenhouse
5 gas pollutants and other air pollutants unless both of the following
6 occur:

7 (1) The state board makes a finding at a public hearing that
8 there are no technologically feasible and cost-effective emissions
9 reductions that may be made in areas that are most impacted by
10 greenhouse gas pollutants within the state, and the state board
11 submits that finding to the Joint Legislative Budget Committee.

12 (2) Within 30 days of the submission pursuant to paragraph
13 (1), the Joint Legislative Budget Committee shall concur or
14 nonconcur on the finding. If, after 30 days, the Joint Legislative
15 Budget Committee has not concurred or nonconcurred in the
16 finding, the finding shall be deemed to be concurred.

17 ~~SECTION 1. It is the intent of the Legislature to enact~~
18 ~~legislation that would establish criteria for, and provide for the~~
19 ~~identification of, persistently dangerous schools.~~